

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:23-cv-00174-MR**

**RUSTY RYAN ANDERSON,**

**Plaintiff,**

**vs.**

**FNU BOWMAN,**

**Defendant.**

---

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**ORDER**

**THIS MATTER** is before the Court on review of the docket in this matter.

Pro se Plaintiff Rusty Ryan Anderson (“Plaintiff”) filed this action on July 10, 2023, pursuant to 42 U.S.C. § 1983 against Defendant FNU Bowman. [Doc. 1]. The Court conducted initial review of Plaintiff’s Complaint pursuant to 28 U.S.C. § 1915(e)(2). [Doc. 8]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from August 15, 2023, to amend his Complaint in accordance with the terms of the Court’s Order. [Id. at 5-6]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 6].

More than 30 days have passed, and Plaintiff has not filed an amended Complaint. The Court will, therefore, dismiss this action without prejudice.

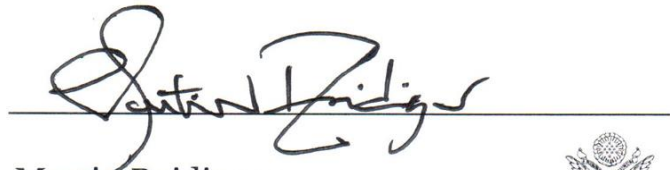
**ORDER**

**IT IS, THEREFORE, ORDERED** that this action is dismissed without prejudice.

The Clerk is instructed to terminate this action.

**IT IS SO ORDERED.**

Signed: September 29, 2023

A handwritten signature in black ink, appearing to read "Martin Reidinger", is written over a horizontal line.

Martin Reidinger  
Chief United States District Judge

